

Press Release

State of Maryland
Department of Public Safety and Correctional Services



DPSCS Communications Office Contacts:

Mark Vernarelli ~ 410-339-5065 ~ mvernarelli@dpscs.state.md.us

Danielle Lueking ~ 410-339-5011 ~ dwilmsen@dpscs.state.md.us

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Gary D. Maynard
Secretary

The Maryland Department of Public Safety and Correctional Services protects the public, its employees and the detainees and offenders under its supervision.

DPSCS Secretary Maynard Testifies In Support Of Bill Making Possession of Cell Phones in Correctional Facilities a Felony

TOWSON, MD (January 19, 2010)---Maryland's Public Safety and Correctional Services Secretary today testified that increasing fines and prison terms by making cell phone possession in prisons a felony could dramatically improve safety for both correctional staff and inmates.

Maryland has been a national leader in the call for more technology to interdict cell phones. Secretary Maynard has testified before Congress asking for FCC approval to jam cell phone signals emanating from behind bars. The Department of Public Safety and Correctional Services (DPSCS) has also been a national leader in using other tools, such as cell phone detector dogs. Maryland's Division of Correction was the first in the nation to breed and train its own cell phone-finding K9s. The Department also has state-of-the-art BOSS chairs in every correctional facility. These chairs can detect cell phones hidden inside body cavities.

House Bill 78 would make possession of a cell phone in a place of confinement a felony, increasing both the potential prison term and fine for those convicted. The bill calls for a five year sentence (up from the current misdemeanor conviction of three years) and a fine of up to \$3,000 (currently, it's \$1,000).

"I have been in corrections for 39 years," Mr. Maynard said, "and the introduction of cell phones is growing far beyond what any correctional veteran could ever have imagined. Gang members frequently continue to conduct their business behind bars with cell phones, and this makes a very dangerous situation for our staff and inmates."

DPSCS has dramatically reduced violence within its facilities: There has been a 50% drop in serious assaults on both staff and inmates between FY '06 and FY '09. But cell phone use remains a problem---one the Department feels needs tougher laws and more technology to battle. DPSCS confiscated more than 3,600 cell phones in the past three years.

---Secretary's Full Testimony Follows---

SECRETARY GARY MAYNARD'S TESTIMONY TODAY, JANUARY 19, IN
ANNAPOLIS IN SUPPORT OF HOUSE BILL 78,
CALLING FOR CELL PHONE POSSESSION IN CORRECTIONAL FACILITIES
TO BE A FELONY WITH TOUGHER PENALTIES

Mr. Chairman and members of the Committee, I am here today to support HB 78, a bill that will enhance the penalties for individuals smuggling cell phones into our correctional facilities.

I have been involved in corrections for 39 years, working at the Federal Bureau of Prisons and in five states, serving in four of those as head of the corrections system.

For those of us in this field, one of the most important functions is the security of our prisons and the overall safety, not only of the institution and the people inside, but of the community at large.

One of the leading contributors to criminal behavior within our prisons has been gang activity. Often times, these individuals seek out ways to continue to operate their criminal activity from prison – most often through the use of cell phones. The introduction of cell phones within our prisons is growing at an alarming rate.

Phones can be brought into prisons in a variety of ways. They are smuggled on or within an inmate's body, by compromised staff, by visitors, tossed over the fences or walls, concealed within deliveries or shipments of food and supplies, or through contractors.

Two years ago, a detainee who was housed within our Division of Pretrial Detention and Services was convicted of ordering the death of a young man in Baltimore. He made the call from a smuggled cell phone within our facility.

Victims and public officials are being threatened, harassed, and even killed by prisoners with access to cell phones across this country.

Over the past 3 years, the Department of Public Safety and Correctional Services has recovered over 3,600 phones in our institutions. This is a result of a combination of enhanced security processes and the implementation of technology. We have strengthened our screening process investing in Secure View Scanners, BOSS chairs, and X-Ray machines. We have developed stronger protocols for staff screening at entrance and have invested in a K-9 unit to detect phones.

We have also looked to cell phone jamming, detection, and interference technologies to assist our security units. We hosted a demonstration in September, which received national attention to see how detection and interference technologies could assist our efforts. This past December, we followed up with another demonstration, piloting cell phone detection technology in three active prison facilities.

We know this is not enough. We need to be able to more effectively punish those individuals who seek to circumvent the law and give these inmates the ability to communicate with the outside world and continue their criminal behavior. We can not allow another murder, or give them to ability to plan escapes or institutional violence any more.

Under the current law, an individual caught smuggling a cell phone, or in possession of an unauthorized cell phone in our prisons is subject to a misdemeanor charge and up to three years imprisonment.

This is just not a strong enough deterrent. We need to treat this as the serious crime that it is. It is should be a felony like it is in other states like Florida and New Jersey who recently passed similar legislation to HB 78.

The passage of this bill, in addition to our enhanced security protocols will give us the tools necessary to continue to protect the public's safety, as well as our staff members, and the offenders and detainees under our supervision.

The panel here today will be able to speak directly to the security threats that cell phones present in our prisons, and the need for passage of HB 78. We would appreciate your consideration of this important bill.

Thank you.

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